

09/917843

Filed
7/26/01**WILLIAM ANTHONY DRUCKER**

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Patents
Trademarks

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July 26, 2001

Commissioner for Patents and Trademarks

Washington, D.C. 20231

ATTENTION: PCT-DO/US

Re: **INTERNATIONAL PATENT APPLICATION PCT/EP99/09278 FILED
ON NOVEMBER 29, 1999 CLAIMING PRIORITY OF JANUARY 28, 1999
INVENTORS: Rudolf THALER and Karlheinz MATHEUSSER
TITLE: "A METHOD AND A DEVICE FOR PRODUCING A FUEL MIXTURE
FOR A COMBUSTION ENGINE" - DOCKET NO. 5221P100USCIP**

Sir:

Submitted herewith as first submission is a **continuation-in-part application** of international patent application: PCT/EP99/09278 for the purposes of entering the national stage for the USA under 37 U.S.C. 371 (c), immediate national examination being requested:

International Application

English translation of the International Application comprising 26 pages
specification, 6 pages claims (claims 1-22) and Abstract (33 pages total)

4 sheets formal drawings of Figures 1-6

Unsigned declaration and power of attorney

Verified Statement-Independent Inventor/s

Letter re IDS, Form PTO-A820 (1449) and cited references

International search report with said above-noted cited references

Copy international preliminary examination/demand

Self addressed stamped postcard for serial number

Please charge the basic filing fee of \$430.00 (EPO and small entity), additional one (1) independent claim and two (2) extra claims and any additionally required fees or credit any overpayment to Deposit Account 04-1675. A duplicate copy of this letter is attached hereto.

Respectfully submitted,

William A. Drucker

William A. Drucker - Reg. No. 17,951

(202) 639-7713

/b.h.r.

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JUL 18 2002

TECH CENTER 1600/2900

Inventor(s): RUDOLF THALER and KARLHEINZ MATHEUSSER

Serial number: NEW

Filed: herewith - July 26, 2001

For: A METHOD AND A DEVICE FOR PRODUCING A
FUEL MIXTURE FOR A COMBUSTION ENGINE

Docket number: 5221P100USCIP



The following has been received in the United States Patent and Trademark Office on the date stamped:

PCT CNTN-IN-PRT APPLCTN FOR ENTERING NTL PHSE CONSISTING OF
INTRNTL APPLCTN; ENGLISH TRNSLTN THEREOF (26 PGS SPEC., 6 PGS
CLMS (1-22) AND ABSTRACT (33 PGS TOTAL); 4 SHTS FRML DWNGS OF
FIGS 1-6; UNSGND DCLTN AND PWR/ATTY; VRFD STMTNT-INDPNDNT
INVNTR/S; LTR RE IDS, FRM PTO-A820(1449) AND CITD REFS; INTRNTL
SRCH RPRT WITH SAID ABOVE-NOTED CTD REFS; CPY INTRNTL
PRELIM. EXMNTN/DMND, TRNSMTTL LTTR/DPLCTE AND SELF ADD.
STMPD POSTCARD. (FEES CHRGD TO DEP. ACCT. 04-1675).

Date: July 26, 2001

Initials: JMC/bhr

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TECHNOLOGY CENTER R3700

July 26, 2001

Commissioner for Patents/Trademarks
Washington, D.C. 20231
ATTENTION: PCT-DO/US

5221p100USCIP

On date stamped hereon, a continuation-in-part applictn was fld in re RUDOLF THALER and KARLHEINZ MATHEUSSER consisting of intrntl applictn, English trnsln of intrntl applictn, unsqnd dcltn and pwr/atty, 4 shs fml dwgs, vrfd stmnt-indep.invntrs, ltr re IDS Stmnt w/Pm PTO-A820(1449) and ctd refs, intrntl srch rpt, intrntl prelim. exmntn/demand, trnsmttl ltr-dpcte and this p/c.

JC20 Rec'd PCT/PTO 26 JUL 2001

*Filed
11/15/01*

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of

RUDOLF THALER and KARLHEINZ MATHEUSSER

Serial No. --- (5221P100USCIP)

Filed July 26, 2001

For: **A METHOD AND A DEVICE FOR PRODUCING A
FUEL MIXTURE FOR A COMBUSTION ENGINE**

Assistant Commissioner for Patents
Washington, D.C. 20231

Sir:

STATUS REQUEST

On July 26, 2001, the subject application was filed as evidenced by the attached copy of the PTO mailroom stamped receipt and copy of the PTO stamped postcard. To date, nothing has been received from the Patent and Trademark Office. Please advise as to the status of the subject application.

Respectfully submitted,

**William A. Drucker
Registration No. 17,951
(202) 639-7713**

Inventor(s): RUDOLF THALER and KARLHEINZ MATHEUSSER

Serial No: ---

Filed: July 26, 2001

For: A METHOD AND A DEVICE FOR PRODUCING A
FUEL MIXTURE FOR A COMBUSTION ENGINE

Docket number: 5221P100USCIP

The following has been received in the United States Patent and Trademark Office on the date stamped:

**STATUS REQUEST TOGETHER WITH COPY OF PTO
MAILROOM STAMPED RECEIPT AND COPY OF PTO
STAMPED POSTCARD.**

Date: November 15, 2001

Initials: JMC/bhr

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TECHNOLOGY CENTER R3700

Translation

PATENT COOPERATION TREATY

PCT

INTERNATIONAL PRELIMINARY EXAMINATION REPORT

(PCT Article 36 and Rule 70)

Applicant's or agent's file reference 5221P100WO SG/sl	FOR FURTHER ACTION See Notification of Transmittal of International Preliminary Examination Report (Form PCT/IPEA/416)	
International application No. PCT/EP99/09278	International filing date (day/month/year) 29 November 1999 (29.11.99)	Priority date (day/month/year) 28 January 1999 (28.01.99)
International Patent Classification (IPC) or national classification and IPC F02M 25/022		
Applicant SPRITEX TECHNOLOGIES, INC.		

1. This international preliminary examination report has been prepared by this International Preliminary Examining Authority and is transmitted to the applicant according to Article 36.

2. This REPORT consists of a total of _____ sheets, including this cover sheet.

☒ This report is also accompanied by ANNEXES, i.e., sheets of the description, claims and/or drawings which have been amended and are the basis for this report and/or sheets containing rectifications made before this Authority (see Rule 70.16 and Section 607 of the Administrative Instructions under the PCT).

These annexes consist of a total of _____ sheets.

3. This report contains indications relating to the following items:

- I ☒ Basis of the report
- II ☐ Priority
- III ☐ Non-establishment of opinion with regard to novelty, inventive step and industrial applicability
- IV ☐ Lack of unity of invention
- V ☒ Reasoned statement under Article 35(2) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement
- VI ☐ Certain documents cited
- VII ☒ Certain defects in the international application
- VIII ☐ Certain observations on the international application

CORRECTED
VERSION

Date of submission of the demand 10 May 2000 (10.05.00)	Date of completion of this report 19 January 2001 (19.01.2001)
Name and mailing address of the IPEA/EP	Authorized officer
Facsimile No.	Telephone No.

Form PCT/IPEA/409 (cover sheet) (January 1994)

INTERNATIONAL PRELIMINARY EXAMINATION REPORT

International application No.

PCT/EP99/09278

I. Basis of the report

1. This report has been drawn on the basis of (Replacement sheets which have been furnished to the receiving Office in response to an invitation under Article 14 are referred to in this report as "originally filed" and are not annexed to the report since they do not contain amendments.):

☒ the international application as originally filed.

☐ the description, pages 1-27, as originally filed,
pages _____, filed with the demand,
pages _____, filed with the letter of _____,
pages _____, filed with the letter of _____.

☐ the claims, Nos. 7(part)-12(part), 18-32, as originally filed,
Nos. _____, as amended under Article 19,
Nos. _____, filed with the demand,
Nos. 1-7(part), 12(part) 17, filed with the letter of 01 September 2000 (01.09.2000),
Nos. _____, filed with the letter of _____.

☐ the drawings, sheets/fig 1/4-4/4, as originally filed,
sheets/fig _____, filed with the demand,
sheets/fig _____, filed with the letter of _____,
sheets/fig _____, filed with the letter of _____.

2. The amendments have resulted in the cancellation of:

☐ the description, pages _____
☐ the claims, Nos. _____
☐ the drawings, sheets/fig _____

3. ☐ This report has been established as if (some of) the amendments had not been made, since they have been considered to go beyond the disclosure as filed, as indicated in the Supplemental Box (Rule 70.2(c)).

4. Additional observations, if necessary:

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INTERNATIONAL PRELIMINARY EXAMINATION REPORT

International application No.
PCT/EP 99/09278

V. Reasoned statement under Article 35(2) with regard to novelty, inventive step or industrial applicability: citations and explanations supporting such statement:

1. Statement

Novelty (N)	Claims	1-32	YES
	Claims		NO
Inventive step (IS)	Claims	1-32	YES
	Claims		NO
Industrial applicability (IA)	Claims	1-32	YES
	Claims		NO

2. Citations and explanations

1. The closest prior art is a method for producing a mixture of fuel and water (see Figure 6 of GB-A-2 109 457) using a fuel circuit, a mixing pump, a tapping device for a consumer and a fuel supply, the volumetric flow of the supplied fuel being measured and water being admixed accordingly using a mixer arranged in the fuel circuit.

The method as per Claim 1 differs therefrom by the additional admixture of an emulsifier in the mixer.

The admixture of an emulsifier is known *per se* from JP-A-8 246 961 or DE-A-23 60 681. However, JP-A-8 246 961 teaches adding the emulsifier outside the fuel circuit and DE-A-23 60 681 concerns a system without a fuel circuit. Consequently, the claimed admixture of water and emulsifier in a mixer and the concomitant enhanced mixing is not suggested, since the prior art suggests only a separate admixture outside the fuel circuit. The admixture in a mixer in DE-A-23 60 681 concerns a system without a fuel circuit, and therefore that method does not appear to be readily applicable and describes this possibility only as an alternative to the admixture

INTERNATIONAL PRELIMINARY EXAMINATION REPORT

International application No.

PCT/EP 99/09278

in the refinery already, for example, giving the impression that the site of the admixture is inconsequential and irrelevant.

- 1.1 The above argument analogously applies to the dependent device Claim 14 and to the retrofitting set as per Claim 32.
- 1.2 Claims 2-13 and 15-31 concern further details of independent Claims 1 and 14, respectively, and therefore also meet the PCT requirements.

INTERNATIONAL PRELIMINARY EXAMINATION REPORT

International application No.
PCT/EP 99/09278

VII. Certain defects in the international application

The following defects in the form or contents of the international application have been noted:

1. Independent Claims 1, 14 and 32 are not correctly delimited in relation to GB-A-2 109 457.
2. The description is not consistent with the current Claims 1 and 14.
3. Contrary to PCT Rule 5.1(a)(ii), the description does not cite GB-A-2 109 457.

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WILLIAM A DRUCKER

PAGE 01
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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of

Rudolf THALER and Karlheinz MATHEUSSER

Serial No. 09/917,843 (5221P100USCIP)

Filed July 26, 2001

For: A METHOD AND A DEVICE FOR PRODUCING A
FUEL MIXTURE FOR A COMBUSTION ENGINE

Commissioner for Patent and Trademarks
Washington, D.C. 20231

ATTENTION: MS. TONI WALKER - CUSTOMER SERVICE

VIA FAX: (703) 872-9301 - 13 PAGES TOTAL

Sir:

The subject application was filed in the United States Patent and Trademark Office on July 26, 2001 with an unsigned declaration as evidenced by the transmittal letter attached hereto. No Notice of Missing Parts has been received to date even though a status request was previously filed in regard thereto. Attached are the missing parts which have still not been requested in order to complete the filing. These include:

Signed Declaration
Transmittal letter with copy PTO mailroom stamped receipt of application
and copy PTO mailroom stamped acknowledgement postcard
Copy Status Request with copy PTO mailroom stamped receipt
Copy corrected version of the English translation in accordance with
Form PCT/IPEA/409 (5 sheets)

No fees are believed to be necessary; however, if fees are necessary, please charge to
Deposit Account No. 04-1675.

Respectfully submitted,

William A. Drucker-Reg. No. 17,951
(202) 639-7713

[Signature]
JAY M. CANTOR
Reg. No. 18906